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12 MYSPACE, INC.

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

13 MYSPACE, INC., a Delaware
14 Corporation,

15 Plaintiff,

16 vs.

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18 SANFORD WALLACE D/B/A
19 FREEVEGASCLUBS.COM, REAL-
20 VEGAS-SINS.COM, and FEEBLE
21 MINDED PRODUCTIONS, an
22 individual; WALTER RINES, an
23 individual; ONLINE TURBO
24 MERCHANT, INC., a corporation;
25 and ODYSSEUS MARKETING,
26 INC., a corporation,

27 Defendants.

CASE NO. CV-07-1929 ABC (AGRx)

**DECLARATION OF LORI CHANG
IN SUPPORT OF PLAINTIFF
MYSPACE, INC.'S MOTION FOR
DEFAULT JUDGMENTS AGAINST
DEFENDANTS SANFORD
WALLACE AND WALTER RINES**

Filed Concurrently With:
Notice of Motion and Motion;
Memorandum; Declaration of Kevin
Datoo; Declaration of Shing Yin
Khor; Declaration of Joseph Marotta;
and [Proposed] Order.

Date: May 12, 2008

Time: 10:00 a.m.

Ctrm: 680

Judge: Hon. Audrey B. Collins

DECLARATION OF LORI CHANG

I, Lori Chang, declare:

1. I am an attorney licensed to practice law in California and before this Court. I am an associate in the law firm of Greenberg Traurig, LLP, counsel of record for Plaintiff MySpace, Inc. ("MySpace") in this action. I have personal knowledge of the following facts, to which I would competently testify if necessary.

2. On September 25, 2007, the Court entered an Order authorizing alternative service by certified mail and email on defendant Walter Rines. A true and correct copy of the Order is attached as Exhibit 1. The Order provided that service of the summons and First Amended Complaint on Rines could be made by email to w.walterrines@comcast.net and by certified mail to Rines's home address, 6 Laurel Lane, Stratham, NH 03885. The Order further provided that service would be deemed complete upon emailing and mailing.

3. The First Amended Complaint was filed on September 26, 2007. October 1, 2007, counsel for MySpace caused defendant Rines to be served with a copy of the summons and First Amended Complaint by certified mail and email, as reflected on the Amended Proof Of Service, a true copy of which is attached hereto as Exhibit 2 and the original of which was filed with the Court on October 16, 2007. Rines, however, appears to have rejected service of the certified mail package because it was returned to counsel for MySpace marked "unclaimed." At some time after we served Rines by email, Rines also cancelled his comcast.net email account.

4. Pursuant to the Federal Rules of Civil Procedure, defendant Rines was required to respond to the First Amended Complaint by October 19, 2007. Rines, however, has not appeared, answered, or otherwise responded to the First Amended Complaint. As set forth in the accompanying Declaration of Joseph Marotta, Rines nevertheless has found a way literally and figuratively to raise his middle finger in an obscene gesture to MySpace.

1 5. Attached as Exhibit 3 are true and correct copies of the court's order
2 entering default against Walter Rines, entered on November 28, 2007, and the clerk's
3 entry of default against Rines.

4 6. Attached as Exhibit 4 is a true and correct copy of the court's order entering
5 default against Sanford Wallace, entered on April 16, 2008.

6 7. Neither Sanford Wallace nor Walter Rines is an infant, incompetent, in
7 military service or otherwise exempted from default judgment under the Soldiers and
8 Sailors' Civil Relief Act of 1940.

9 8. In July 2007, counsel for MySpace received portions of the transcript of an
10 April 19, 2007 deposition of Sanford Wallace, in response to a Freedom Of Information
11 Act ("FOIA") request to the Federal Trade Commission ("FTC"). Attached hereto as
12 Exhibit 5 is a true and correct copy of this deposition transcript.

13 9. Attached as Exhibit 5 is a true and correct copy of the deposition transcript
14 of Walter Rines, taken by the Federal Trade Commission ("FTC") on June 13, 2007, and
15 accompanying exhibits. Counsel for MySpace obtained this transcript pursuant to a
16 FOIA request to the FTC.

17 10. Attached as Exhibit 6 is a true and correct copy of the deposition transcript
18 of Sanford Wallace, taken by the FTC on April 19, 2007.

19 11. Attached as Exhibit 7 is a true and correct copy of a contempt motion filed
20 by the FTC on January 23, 2008, in the District of New Hampshire, based upon
21 defendants' spamming and phishing attacks on MySpace.

22 12. Attached as Exhibit 8 is a true and correct copy of a preliminary injunction
23 obtained by the FTC against Rines, entered on or around April 19, 2006, by the District
24 of New Hampshire.

25 13. Attached as Exhibit 9 is a true and correct copy of the Stipulated Final Order
26 For Permanent Injunction And Settlement Of Claims For Monetary Relief obtained by
27
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1 the FTC against Rines, entered on or around October 24, 2006, by the District Court of
2 New Hampshire.

3 14. Attached as Exhibit 10 is a true and correct copy of this court's preliminary
4 injunction order entered on July 20, 2007.

5 15. Attached as Exhibit 11 is a true and correct copy of this court's order
6 modifying the original preliminary injunction order, entered on October 16, 2007.

7 16. Attached as Exhibit 12 is a true and correct copy of the Declaration of Sarah
8 Kaleel, filed in support of MySpace's preliminary injunction motion.

9 17. Attached as Exhibit 13 is a true and correct copy of the Declaration of Rick
10 Frazier, filed in support of MySpace's preliminary injunction motion.

11 18. Attached as Exhibit 14 is a true and correct copy of the Declaration of Jason
12 Wiley, filed in support of MySpace's preliminary injunction motion.

13 19. Attached as Exhibit 15 is a true and correct copy of the Supplemental
14 Declaration of Sarah Kaleel, filed in support of MySpace's preliminary injunction
15 motion.

16 20. Attached as Exhibit 16 is a true and correct copy of the Declaration of Ian
17 Ballon, filed in support of MySpace's preliminary injunction motion.

18 21. Attached as Exhibit 17 is a true and correct copy of the Declaration of
19 Sanford Wallace, filed in opposition to MySpace's preliminary injunction motion.

20 22. Attached as Exhibit 18 is a true and correct copy of the Declaration of Shing
21 Yin Khor in support of MySpace's motion to modify the preliminary injunction order.

22 23. Attached as Exhibit 19 are true and correct copies of documents produced
23 by Digital River, Inc. ("DirecTrack data"), and MySpace's subpoena duces tecum served
24 upon Digital River, Inc. The DirecTrack data consists of a spreadsheet that summarizes
25 Rines's August 2007 earnings based upon subscriptions ("leads") generated for various
26 commercial promotions ("campaigns"), including Ringtones.net (line 11), which was the
27 service promoted in the spam attacks that Rines launched on MySpace beginning in

1 August 2006. *See* Declaration of Shing Yin Khor In Support Of MySpace, Inc.'s Motion
2 To Modify The Court's Preliminary Injunction Order, filed on October 1, 2007, ¶ 7.

3 24. Attached as Exhibit 20 are true and correct copies of documents produced
4 by Domains By Proxy, Inc. and MySpace's subpoena duces tecum served upon Domains
5 By Proxy, Inc. These documents show that Rines is the registrant for the domains used
6 in the attacks beginning in August 2007, as referenced in the Declaration of Shing Yin
7 Khor In Support Of MySpace, Inc.'s Motion To Modify The Court's Preliminary
8 Injunction Order, filed on October 1, 2007, ¶ 3.

9 25. Attached as Exhibit 21 are true and correct copies of documents produced
10 by Fling.com, LLC ("Fling.com data") and MySpace's subpoena served upon Fling.com,
11 LLC. These documents summarize payments to Rines for generating leads for
12 Fling.com, between December 2006 and September 2007. Defendants have spammed
13 MySpace to promote websites advertising offers from Fling.com. *See* Declaration of
14 Rick Frazier In Support Of MySpace, Inc.'s Motion For Preliminary Injunction, filed on
15 June 11, 2007, ¶ 8.

16 I declare under penalty of perjury under the laws of the United States of America
17 that the foregoing is true and correct and that this Declaration was executed on April 18,
18 2008 in Santa Monica, California.

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20 
21 LORI CHANG

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the aforesaid county, State of California; I am over the age of 18 years and not a party to the within action; my business address is 2450 Colorado Avenue, Suite 400E, Santa Monica, California 90404.

4 On April 18, 2008, I served the **DECLARATION OF LORI CHANG IN SUPPORT PLAINTIFF**
 5 **MYSPEACE, INC.'S NOTICE OF MOTION AND MOTION FOR DEFAULT JUDGMENTS AGAINST**
 6 **DEFENDANTS SANFORD WALLACE AND WALTER RINES;** on the interested parties in this action by placing the true copy thereof, enclosed in a sealed envelope, postage prepaid, addressed as follows:

6 ☒ **(BY MAIL)**

7 ☒ I am readily familiar with the business practice of my place of employment in respect to the collection and processing of correspondence, pleadings and notices for mailing with United States Postal Service. The foregoing sealed envelope was placed for collection and mailing this date consistent with the ordinary business practice of my place of employment, so that it will be picked up this date with postage thereon fully prepaid at Santa Monica, California, in the ordinary course of such business.

10 Sanford Wallace
 11 7800 S. Rainbow Blvd., Apt. 1118
 12 Building 26
 Las Vegas, NV 89139

Walter Rines
 6 Laurel Lane
 Stratham, NH 03885

13 Sanford Wallace
 14 6130 W. Flamingo Rd. #205
 Las Vegas, NV 89103

15 ☒ **(BY OVERNITE EXPRESS)**

16 I am readily familiar with the business practice of my place of employment in respect to the collection and processing of correspondence, pleadings and notices for delivery by Overnight Express. Under the practice it would be deposited with Overnight Express on that same day with postage thereon fully prepared at Santa Monica, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if delivery by Overnight Express is more than one day after date of deposit with Overnight Express.

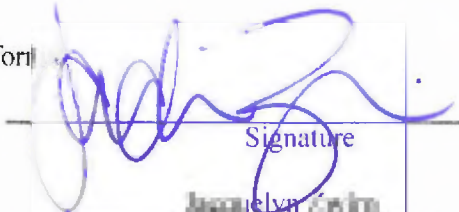
19 Sanford Wallace
 20 7800 S. Rainbow Blvd., Apt. 1118
 21 Building 26
 Las Vegas, NV 89139

Sanford Wallace
 6130 W. Flamingo Rd. #205
 Las Vegas, NV 89103

22 ☒ **(FEDERAL)**

23 I declare under penalty of perjury that the foregoing is true and correct, and that
 24 I am employed at the office of a member of the bar of this Court at whose
 direction the service was made.

25 Executed on April 18, 2008, at Santa Monica, California

26 
 Signature
 Jacquelyn Zedler
 Print Name

28 **PROOF OF SERVICE**